



OFFICE OF THE  
LABORATORY COUNSEL

**VIA EMAIL AND U.S. MAIL**

December 8, 2009

Michael Massey  
Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco CA 94105

Re: Yosemite Creek Superfund Site Section 104(e) Request – Lawrence Berkeley National Laboratory

Dear Michael:

Thank you so much for having taken the time to meet with Tony Garvin and me last week.

As we discussed, I am providing the support for my request that you allow the University of California at Lawrence Berkeley National Laboratory not to respond to the Section 104(e) information request the Environmental Protection Agency issued on October 15, 2009, based upon a showing that there is no evidence that any LBNL drums were ever sent to the Bay Area Drum Site.

I have reviewed all Bay Area Drum files produced in connection with the information request issued by the California Department of Toxic Substances Control (DTSC) in 1992, including all documents produced by an extensive Archives and Records Office search, which was supplemented by searches performed by other individuals at the Laboratory including my former legal assistant, Blythe Buetzow, and interviews of Laboratory employees.

Attachment 1 is a summary prepared in 1992 by Lori Hefner of the Archives and Records Office (ARO). This document provides support for my statement that the search conducted at LBNL in response to DTSC's information request was extensive and thorough. Please note that in addition to the employee interviews conducted by ARO, Blythe Buetzow and I also conducted interviews of numerous Lab employees.

In short, no documentation or evidence produced through these searches and interviews indicated that there was ever a shipment from LBNL to the BAD site.

1. No documentation or other evidence at the Lab showed a relationship between LBNL and the Bay Area Drum site or any company associated with the BAD site other than Myers Drum.

As you will note from Lori Hefner's memorandum, ARO and other Lab employees conducted searches of all records at the Lab that might show a relationship between LBNL and the BAD site or any of the company names provided by DTSC for the 1948- 1987 time period and only found a connection between LBNL and Myers Drum. Employee interviews confirmed the lack of a connection between LBNL and the BAD site or any company associated with it other than Myers.

2. There is evidence of purchases of drums from Myers and evidence of a few sales of LBNL drums to Myers; sales to Myers occurred between 1980 and 1982 and did not occur during the time period when Myers operated at the BAD site.

As indicated in my letter to Monica Gan of DTSC, ARO's search efforts, employee interviews, and a review by my former legal assistant of available detail and summary ledgers stored on microfiche at LLNL, under account number 3681-03 (for LBNL Salvage Operations Disposal activities) and covering 1965 - 1971 (during which Myers reportedly operated at the BAD site) as well 1978-1987 (when other LBNL records or interviews indicated a connection to Myers) indicate that between 1978 and 1987 LBNL purchased drums from Myers, and between 1981 and 1984 requested or accepted offers from Myers to purchase LBNL drums. However, the reviewed detail and summary ledgers show only four occasions, between 1980 and 1982, on which LBNL sold drums to Myers (as evidenced by credits next to the Myers name in the detail ledgers). Relevant documents indicating connections with Myers are included as Attachment 2.

Documents located through the ARO search, employee interviews, and Ms. Buetzow's review of detail and summary ledgers contained no evidence of any sales of LBNL drums to Myers during the time period when, according to the site history developed by the Bay Area Drum Site PRP group, Myers operated at the BAD site.

In 1994, ARO located an additional document possibly relevant to the DTSC information request. That document did not indicate sales of empty drums to Myers but did indicate a blanket order with Myers (designated as No. 1443400 or 1443300) for purchases by UC LBNL of reconditioned drums that originated at the U.S. Naval Installation Point Molate/Richmond, California site during the time period from April 1, 1969 through March 31, 1971. A copy of that document is included as Attachment 3. However, Ms. Buetzow reviewed summary and detail ledgers covering 1969 - 1971 under account number 1600-81 (indicating purchases by Stores (account number 1600) of containers (sub-account number 81)). The 1969-1971 ledgers for account number 1600-81 showed no LBNL transactions associated with purchase order nos. 1443300 or 1443400. The ledgers indicate, in connection with "Location 1" (designating LBNL instead of LLNL) a purchase from Myers, but the blanket order with which the transaction is associated is No. 1490300, not No. 1443300 or No. 1443400. I have included the pages showing that information as Attachment 4. The ledgers contained no other entries for LBNL transactions with Myers Drum and no entries showing LBNL transactions with other companies associated with the Bay Area Drum site besides Myers Drum.

At the time of her review as described in the above paragraph, my legal assistant also rechecked the summary and detail ledgers for account numbers 3681-03 (as described earlier) for the 1969-1971 time period and confirmed that there were no entries showing transactions between LBNL and any of the companies associated with the Bay Area Drum site.

Concerning the interview of a truck driver named Jack Hamilton which produced interview notes including "Lawrence Berkeley National Laboratory" and apparently was the basis for DTSC's request for information from LBNL, as indicated in my 1992 letter to Monica Gan of DTSC, the reference to LBNL appears to have been an erroneous reference to UC Berkeley, which is located adjacent to the LBNL site.

The names listed in the interview notes were names of UC Berkeley employees who were never UC LBNL employees. As well, there is no documentation indicating that Jack Hamilton or A.C. Brandeis ever picked up drums at LBNL, and long-term LBNL employees stated in interviews that they had never heard of either individual.

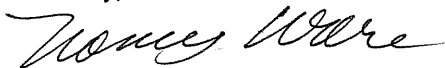
Moreover, Attachment 5 is a letter from Lawrence Berkeley National Laboratory and Lawrence Livermore National Laboratory to the attorney for the PRP Group. That letter documents the statement by the attorney that the truck driver who initially thought he might have picked up LBNL drums believed LBNL might be correct that he was in error and that the drums had been picked up from UC Berkeley. An additional letter from the PRP group includes Mr. Hamilton's notes on a letter the PRP Group attorney sent at my request, in which he asked Mr. Hamilton whether he had ever picked up drums at a list of locations at which LBNL drums would have been provided for pickup. He recognized none of them and indicated UC Berkeley locations as his drum pickup spots. I am including that document as Attachment 6.

As I indicated at the meeting last week, when the University settled with the PRP Group as a de minimis party based on a formulation that weighted a number of databases, it did so based on an allocation of zero dollars to UC LBNL. I am attaching a copy of the internal memorandum documenting that fact as Attachment 7.

In summary, to the best of our knowledge, DTSC asked UC LBNL to respond to an information request on the Bay Area Drum site in 1992 based upon what appears to be information provided by a truck driver who was in error when he indicated the name "Lawrence Berkeley National Laboratory" to an interviewer. Extensive searches and interviews turned up no evidence that LBNL drums were ever sent to the Bay Area drum site. Based upon the lack of evidence indicating a connection between LBNL and the Bay Area Drum site, I am requesting that you allow UC LBNL not to respond to the Yosemite Creek Superfund Site Section 104(e) request.

Alternatively, please let me know if there is an additional search you would like us to conduct so as to provide the level of comfort you need in order to concur with our conclusion that there is no connection between LBNL and the BAD site. If you do request an additional search, I ask that you provide an additional thirty days to respond to the Section 104(e) request in the unlikely event that such a search reveals a connection we believe will not be found.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nancy Ware".

Nancy Ware  
Senior Counsel

Attachments

Lawrence Berkeley Lab  
Bldg. 69 Rm. 107 Ext. 5525

March 4, 1993  
Revised

TO: Nancy Shepard  
Environmental Legal Counsel

FROM: Lori Hefner  
Archivist and Records Manager

RE: Myers Drum Document Request

The LBL Archives and Records Office staff conducted a thorough review of its records holdings and of pertinent records in LBL offices as requested by LBL Legal Counsel's Office. This document review was in response to the request made by the State of California, Environmental Protection Agency, Department of Toxic Substances Control as it related to Myers Drum, who operated under several names from 1948 to 1987.

The Archives and Records Office staff searched for the following companies Myers Drum Company, Bedini, Barrrels or Bedini Steel Drum, Waymire Drum and Container Company, A. Rooke Cooperage Company, San Francisco Steel Drum Company, Farley and Kluck, Kaiser Steel, and Bay Area Drum.

All Environment, Health and Safety records transmittals (indexes) for the equivalent of 134 5-drawer filing cabinets were reviewed. Possible search terms used in the reviewed included: hazardous waste, radiation waste, chemical waste, waste, shipping waste, off-site shipping, manifests, drums, drum reconditioning, drum sales and drum disposal.

Indexes showed that the following records series should be further researched. The Archives and Records Office staff retrieved the records from the Federal Records Center at San Bruno. There has been an unbroken chain of custody of these records from the Environment, Health and Safety Division, to LBL Archives and Records Office to the National Archives.

Records Series Title	Dates	File Code
EH&S Administrative Files	1965-1991	19-10-99
EH&S Occupational Health Div Adm	1986-1987	25-1-3
EH&S Radioactive Waste Disp Rec	1964-1987	1-9-1
EH&S Radioactive Waste Disp Rec	1965-1988	1-9-3
EH&S Administrative Files	1950-1988	19-10-96
EH&S Safety Management Records	1961-1971	25-10-1

Attachment 1

### Additional Documents Researched

The Archives and Records Office assisted other LBL personnel in retrieving records from its holdings as they also reviewed documentation.

Tom Pattock     Purchasing Department  
Pat Hall        Facilities Department  
                 (Plant Engineering and Construction and Maintenance  
                 Departments)

Records retrieved included:

Records Series Title	Dates	File Code
Plant Engineering Admin Files	1978-1990	19-10-85
Purchasing Subcontracts	1985-1991	3-3-4
General Ledge Summaries	1985-1986	3-2-2

### Efforts to Gain Information From Various Employees

The Archives and Records Office staff interviewed several employees and former employees about their knowledge of LBL's interaction with the concerned corporate entities, the subjects, or where additional records might be. The following people were interviewed:

Name	Work Unit
Jean Lawther	Purchasing
Jerry Moore	Purchasing
Marjorie Myers	Purchasing
Tom Pattock	Purchasing
Cathryn Carter	Purchasing
Ken Lines	General Ledger
Jensen Young	EH&S
Harry Jelonek	EH&S
Regino Martinez	EH&S
Dave Saucer	Transportation
Gavin Robillard	Property Management
Crystal Llewellyn	Oils, Solvents, Gases and Bottled Water
Paul Stagnero	Oils, Solvents, Gases and Bottled Water
Gloria Dalton	Personnel, Records Office

### **Additional Efforts**

The Archives and Records Office staff also spoke with employees at the University of California, Berkeley Personnel Office about the employment of three individuals who were mentioned in a disposition. As our research verified, the three individuals were employed by UCB, and not LBL. This suggested that Myers Drum picked up waste at the UCB campus, but not LBL.

Lastly, the Archives and Records Office staff spoke with Lawrence Livermore National Laboratory's general ledger staff about documentation they had on microfilm from 1948 to the present on LBL's sale and credits of drums. Blythe Buetzow, LBL Legal Counsel's Office, visited the Livermore General Ledger Office to conduct the research.

### **Concerns**

The records still in the offices of Business and Material Services and the Environment, Health and Safety Division presented a more difficult search. During the effort several records management concerns came to light. The Archives and Records Office will continue to work with both units to further inform management and employees on appropriate records management practices. The leaders of both units have committed to continued records management improvements, including sending a memorandum to employees explaining records management procedures.

### **Conclusion**

Conducting research and reviewing records to assist the Laboratory in its regulatory requirements is an appropriate role for the LBL Archives and Records Office. I hope you will call on us again when needed. I also look forward to working with you to help Laboratory departments and employees understand that the proper documentation can greatly assist the Laboratory in protecting its legal interests as it did in this case.

cc: R. Medel  
D. Nielsen  
P. Marshall  
T. Beales  
D. Saucer  
G. Robillard  
A. More'  
J. Crafton

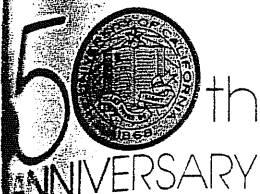
STEEL DRUMS

- |   |              |
|---|--------------|
| 1. ACT Container Co.<br>2200 Central Avenue<br>Richmond, CA 94804                             | 235-8551     |
| 2. Edw. C. Evans & Son<br>16401 San Pablo Avenue<br>San Pablo, CA 94806                       | 758-8070     |
| 3. Gonzalez Bucket & Drum Co.<br>1324 Fitzgerald Avenue<br>San Francisco, CA 94124            | 172-822-3130 |
| 4. Metz Drum Co.<br>14895 East 14th St.<br>Oakland, CA 94578<br><del>SAN LEANORO</del>        | 483-0574     |
| 5. Sims Bucket Co.<br>541 2nd St.<br>Richmond, CA 94801                                       | 232-6011     |
| 6. Western Drums<br>128 Harbor Way<br>So. San Francisco, CA 94080                             | 172-952-8320 |
| 7. Myers Drum Co.<br>Subsidiary of Kaiser Steel<br>6549 San Pablo Avenue<br>Oakland, CA 94608 | 653-2761     |

SCRAP PAPER

11/14/80 SF

Attachment 2



ANNIVERSARY 1931-1981

# Lawrence Berkeley Laboratory

University of California • Berkeley, California 94720

October 7, 1981

MYERS DRUM CO.

Subsidiary of Kaiser Steel

6549 San Pablo Avenue

Oakland, CA 94608

Subject: Scrap Metal Sale 82-03 - Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 99 each 55 gallon closed head oil drums and 2 each 30 closed head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than October 19, 1981. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

C. A. McElheney  
Purchasing  
415/486-4591

CAM:crc  
Attachments

PRICE: 1<sup>00</sup> (30) GALLONS

4<sup>00</sup> Rem = 2<sup>00</sup> Linet (55) GALLONS

PICK-UP AT LBL

DATE: 10-16-81

SUBMITTED BY: John Load

TITLE Drum Buyer

DA/TRECALL/CRC

Telephone: (415) 486-4000 FTS 451-4000





RECEIVED

MAR 9 1982

MYERS DRUM CO. - Oakland

March 8, 1982

# Lawrence Berkeley Laboratory

University of California  
Berkeley, California 94720  
Telephone 415/486-4000  
FTS: 451-4000

Myers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

Subject: Scrap Metal Sale 82-10 - Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 74 each 55 gallon closed head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than March 19, 1982. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:sf

Attachments

Price: 40¢ RAW Dehenders 2<sup>nd</sup> (55 Gallons)

Pick-up at LBL

Date: 3-16-82

Submitted By:

Title:



RECEIVED

JUL 27 1982

MYERS DRUM CO. - Oakland

# Lawrence Berkeley Laboratory

University of California  
Berkeley, California 94720  
Telephone 415/486-4000

July 26, 1982

FTS: 451-4000

Myers Drum Company  
Subsidiary of Kaiser Street  
6549 San Pablo Avenue  
Oakland, CA 94608

Subject: Scrap Metal Sales 82-16 - Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 53 each 55 gallon and 3 each 30 gallon closed head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter copy of the letter and return to my attention not later than August 6, 1982. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:sf

Attachments

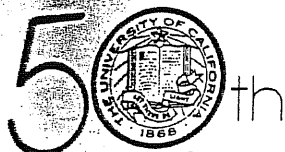
Price: 425 (55 gallons)  
150 (30 gallons)

Pick-up at LBL

Date: 7/27/82

Submitted by:

Title:



ANNIVERSARY 1931-1981

## Lawrence Berkeley Laboratory

University of California • Berkeley, California 94720

August 11, 1982

Myers Drum Company  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

Attention: Mr. John Goad

Subject: Scrap Sale 82-16 Oil Drums

Dear Mr. Goad:

We accept your offer dated July 27, 1982, for purchase of Oil drums in response to our request for offer dated July 26, 1982.

The effective price is \$4.25 per 55 Gallon Drum and \$.50 per 30 Gallon Drum pick up at Lawrence Berkeley Laboratory, approximately 56 each (53 each 55 gallon and 3 each 30 gallon).

Coordinator of Sales for the Laboratory is Mr. Don Waterbury at 486-5303.

Checks should be made payable to the Regents of the University of California and addressed as follows:

University of California  
Lawrence Berkeley Laboratory  
Accounting Office  
P.O. Box 528  
Berkeley, CA 94701

Very truly yours,

T. L. Patock ✓  
Purchasing

TLP:sf

cc: T. Hitchcock  
R. Petersen

E. Pollak  
D. Waterbury

Telephone: (415) 486-4000 FTS 451-4000

STEEL DRUMS

FY '83

BID  
LIST  
IN RED

ACT Container Co.  
2200 Central Avenue  
Richmond, CA 94804

235-8551

Edw. C. Evans & Son  
16401 San Pablo Avenue  
San Pablo, CA 94806

758-8070

Gonzalez Bucket & Drum Co.  
1224 Fitzgerald Avenue  
San Francisco, CA 94124

172-822-3130

Metz Drum Co.  
14895 East 14th St.  
Oakland, CA 94578

483-0574

Sims Bucket Co.  
541 2nd St.  
Richmond, CA 94801

232-6011

Western Drums  
128 Harbor Way  
San Francisco, CA 94080

172-952-8320

Ryers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

653-2761

1580 SF



# RECEIVED Lawrence Berkeley Laboratory

NOV 3 1982

MYERS DRUM CO. - Oakland

November 4, 1982

University of California  
Berkeley, California 94720  
Telephone 415/486-4000  
FTS: 451-4000

Myers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

Subject: Scrap Metal Sale 83-05 Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 53 each 55 gallon closed head and 2 each open head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than November 15, 1982. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:sf

Attachments

Price: 1.50 EA (55 gallons)

Pick-up at LBL

Submitted By:

Title:

Plant mgr. & Drum Buyer

Date:

11/10/82



RECEIVED

APR 19 1983

MYERS DRUM CO. - Oakland

April 14, 1983

# Lawrence Berkeley Laboratory

University of California  
Berkeley, California 94720  
Telephone 415/486-4000  
FTS: 451-4000

Myers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

Subject: Scrap Metal Sale 83-11 Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 62 each 55 gallon closed head and 4 each open head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than April 27, 1983. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:sf

Attachments

Price: \$2.00 55 gallons 3.50 30 gallons -

Pick-up at LBL

Submitted by: John H. Good

Title: Plant Manager & Buyer

Date: 4/19/83

SCRAP PAPER



# Lawrence Berkeley Laboratory

1 Cyclotron Road Berkeley, California 94720

RECEIVED

(415) 486-4000 • FTS 451-4000

OCT 19 1983

MYERS DRUM CO. - Oakland

October 17, 1983

Myers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Ave  
Oakland, CA 94608

Subject: Scrap Metal Sale 84-03  
Oil Drums

Gentlemen:

This is a request for offer to buy approximately 81 each 55 gallon closed head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than October 26, 1983. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:sf

Attachments

Price: 125 EA. / 55 gallons NOT more than 1 in. of product  
IN THE BOTTOM + NO JUNKS -

Pick up at LBL

Submitted by:

John R. Goad

Title:

Drum Buyer

Date:

10/20/83

# Lawrence Berkeley Laboratory

1 Cyclotron Road Berkeley, California 94720

(415) 486-4000 • FTS 451-4000

December 6, 1983

Myers Drum Co.  
Subsidiary of Kaiser Steel  
6549 San Pablo Avenue  
Oakland, CA 94608

Subject: Scrap Metal Sale 84-03-1  
Oil Drums

Gentlemen:

This is a Request for Offer to buy approximately 111 each 55 gallon closed head oil drums located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury, at 415/486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price on the attached copy of the letter and return to my attention not later than December 16, 1983. A telephone reply is acceptable, however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

Price: \_\_\_\_\_/55 gallons

Pick up at LBL

Date: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

TLP:sf

Attachments





# Lawrence Berkeley Laboratory

1 Cyclotron Road Berkeley, California 94720

(415) 486-4000 • FTS 451-4000

May 14, 1984

Myers Drum  
6549 San Pablo Ave.  
Oakland, CA 94608

Attention: Mr. J. Goad

Subject: Scrap Metal Sale 84-09  
OIL DRUMS

Gentlemen:

This is a request for offer to buy approximately 61 OIL DRUMS located at the University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury at (415) 486-5303 in Berkeley.

The attached "Provisions for the Sale of Scrap Property" will become a part of the resulting agreement.

Please indicate your price offer on the attached copy of the letter and return to my attention not later than May 25, 1984. A telephone reply is acceptable; however, it must be confirmed in writing.

Very truly yours,

T. L. Patock  
Purchasing

TLP:bb

- 1) 54 ea. 55 gal. T.H. \$ \_\_\_\_\_ ea.
- 2) 3 ea. 55 gal. F. O. H. \$ \_\_\_\_\_ ea.
- 3) 4 ea. 30 gal. T. H. \$ \_\_\_\_\_ ea.

PICK UP AT LBL

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

*AOBID*



# Lawrence Berkeley Laboratory

1 Cyclotron Road Berkeley, California 94720

(415) 486-4000 • FTS 451-4000

November 8, 1984

Myers Drum Company  
Subsidiary of Kaiser Steel  
6649 San Pablo Avenue  
Oakland, CA 94608

FY '85

Subject: Scrap Metal Sale 85-04  
Oil Drums

Gentlemen:

This request for offer to buy approximately 79 each 55 gallon closed head oil drums and 3 each 16 gallon drums located at University's Lawrence Berkeley Laboratory.

An appointment to inspect the drums may be arranged by contacting Mr. Don Waterbury, at 415/486-5303.

The attached "Provisions for the Sale of Scrap Property" will become a part of any resulting agreement.

Please indicate your price on the attached copy of the letter and return to my attention not later than November 15, 1984. A telephone reply is acceptable, however, it must be confirmed in writing.

Very truly yours,

*T. L. Patock*

T. L. Patock  
Purchasing

TLP:bb  
Attachments

PRICE: No Value /55 gal.

No Value /16 gal.  
Pick up at LBL

DATE: Nov 15, 1984

SUBMITTED: [Signature]

TITLE: No Dr Sales Mfg

DATE: Nov 15, 1984

## ACCOUNTING OFFICE

## ACCOUNTS(0000-4999)

## LAWRENCE LIVERMORE LABORATORY

## DETAIL LEDGER

REPORT NO 025-132

FY 1982 -MONTH END SEPTEMBER

DPS 50501

ACCOUNT	SUB	LOC	EXP	TRANS DESCRIPTION	PUR. OR REF. NO.	TYPE ENT.	JOUR. VOUCH.	MO DAY YR	CUR. MONTH COSTS	LIENS
3681	01	1	10	STORES ISSUES + RET		56	12271	09 30 2 \$	324.94	
3681	01	1	31	ENGINEERED WAS69692		32	12202	09 22 2 \$	300.00-	
3681	01	1	31	FR 1696 01		55	12265	09 30 2 \$	125.50	
3681	01	1	72	LABOR	9034	1	12226	09 30 2 \$	6,677.18	
								\$	6,827.62	4\$ .00
3681	02	1	79	LABOR	9148	1	12226	09 30 2 \$	105.12	
3681	02	1	80	SUPPORT BURDEN	9148	1	12226	09 30 2 \$	12.61	
								\$	117.73	4\$ .00
3681	03	1	31	MYERS DRUM 69652		32	12202	09 15 2 \$	306.00-	
3681	03	1	31	WEST OAKLAND S69688		32	12202	09 22 2 \$	223.35-	
3681	03	1	31	ENGINEERED WAS69692		32	12202	09 22 2 \$	910.34-	
3681	03	1	31	CUSTOM ALLOY S69613	TAG0761	32	12202	09 08 2 \$	1,897.55-	
3681	03	1	31	CUSTOM ALLOY S69613	TAG0762	32	12202	09 08 2 \$	662.42-	
3681	03	1	31	WEST OAKLAND S69688	TAG0764	32	12202	09 22 2 \$	135.25-	
3681	03	1	31	CUSTOM ALLOY S69670	TAG0765	32	12202	09 22 2 \$	99.88-	
3681	03	1	31	WEST OAKL SALVAGE	26207	51	12212	09 09 2 \$	371.36-	
3681	03	1	31	WEST OAKLAND SAL	26780	51	12212	09 15 2 \$	223.37-	
3681	03	1	31	WEST OAKLAND SALV	26849	51	12212	09 28 2 \$	153.70-	
3681	03	1	31	WEST OAKL SALV	26865	51	12212	10 04 2 \$	74.88-	
								\$	5,058.10-	4\$ .00
								\$	1,887.25	44\$ .00
3682	01	1	79	LABOR	9148	1	12226	09 30 2 \$	35.04	
3682	01	1	80	SUPPORT BURDEN	9148	1	12226	09 30 2 \$	4.20	
3682	01	2	10	STORES ISSUES + RET		56	12271	09 30 2 \$	5,922.79	
3682	01	3	10	STORES ISSUES + RET		56	12271	09 30 2 \$	30.02	
								\$	5,992.05	4\$ .00
3682	02	2	21	AMALCO METALS INC	9354301	60	12299	09 30 2		\$ 371.52
3682	02	2	27	FR 3683 03		55	12265	09 30 2 \$	256.19	
3682	02	2	42	FR 3683 02		55	12265	09 30 2 \$	694.25	
3682	02	2	42	FR 3683 03		55	12265	09 30 2 \$	32.00	
3682	02	2	74	LABOR	9703	2	12226	09 30 2 \$	98.42	
3682	02	2	74	LABOR	9704	2	12226	09 30 2 \$	59.12	
3682	02	2	80	SUPPORT BURDEN	9703	2	12226	09 30 2 \$	16.33	
3682	02	2	80	SUPPORT BURDEN	9704	2	12226	09 30 2 \$	9.81	
								\$	1,166.12	4\$ 371.52

ACCOUNT	SUB	LOC	EXP	TRANS DESCRIPTION	PUR. OR REF. NO.	TYPE ENT.	JOUR. VOUCH.	MO DAY YR	CLR. MONTH COSTS	LIENS
3580	01	1	31			55	01077	10 24 0 0	.00	
									.00	00
									.00	00
3581	01	1	10	STORES REQUISITIONS		55	01171	10 31 0 0	387.94	
3581	01	1	23	ALAMEDA FENCE	1262206	55	01130	10 31 0 0	774.00	
3581	01	1	23	C-ALAMEDA FENCE	1262206	55	01143	10 00 0 0	774.00	
3581	01	1	23	C-ALAMEDA FENCE	1262206	60	01100	00 20 0 0		05 00
3581	01	1	31	01		55	01133	10 31 0 0	300.00	
3581	01	1	31	VEHICLE RECHARGES		55	01104	10 10 0 0	4.84	
3581	01	1	72	LABOR	9034 1	54	01126	10 31 0 0	6,013.10	
3581	01	1	73	LABOR	9103 1	54	01126	10 31 0 0	30.30	
3581	01	1	74	LABOR	9112 1	54	01126	10 31 0 0	207.00	
3581	01	1	74	LABOR	9113 1	54	01126	10 31 0 0	68.81	
3581	01	1	74	LABOR	9118 1	54	01126	10 31 0 0	300.07	
3581	01	1	75	LABOR	9126 1	54	01126	10 31 0 0	70.30	
3581	01	1	80	SUPPORT BURDEN	9112 1	52	01126	10 31 0 0	32.04	
3581	01	1	80	SUPPORT BURDEN	9113 1	52	01126	10 31 0 0	0.25	
3581	01	1	80	SUPPORT BURDEN	9116 1	52	01126	10 31 0 0	37.16	
3581	01	1	80	SUPPORT BURDEN	9126 1	52	01126	10 31 0 0	0.44	
									7,041.14	05 00
3581	02	1	72	LABOR	9034 1	54	01126	10 31 0 0	200.57	
3581	02	1	79	LABOR	9148 1	54	01126	10 31 0 0	05.00	
3581	02	1	80	SUPPORT BURDEN	9148 1	52	01126	10 31 0 0	7.00	
									373.26	05
3581	03	1	10	STORES REQUISITIONS		55	01171	10 31 0 0	870.00	
3581	03	1	31	ENGINEERED WAREHOUSE		32	01102	10 20 0 0	707.50	
3581	03	1	31	ENGINEERED WAREHOUSE		32	01102	10 20 0 0	353.01	
3581	03	1	31	HYERS DRUM CO 65880		32	01102	10 20 0 0	400.00	
3581	03	1	31	01		55	01133	10 31 0 0	300.00	
3581	03	2	31	LAKE SIDE NON-F65917		32	01102	10 20 0 0	15,004.35	
3581	03	2	31	LAKE SIDE NON-F65917		32	01102	10 00 0 0	1,002.72	
									21,414.40	05
									13,200.00	05 01
3582	01	2	10	FR 3512 23	102260	55	01104	10 31 0 0	10.70	
3582	01	2	10	STORES REQUISITIONS		55	01171	10 31 0 0	5,004.05	
3582	01	3	10	STORES REQUISITIONS		55	01171	10 31 0 0	67.00	

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3681	01	1	10	STORES REQUISITIONS		56	07071	04	30	0	\$	357.80			
3681	01	1	23	BURKE CONCRETE ACCE	12707A2	55	07043	04	21	0	\$	98.60			
3681	01	1	72	LABOR	9034	54	07026	04	30	0	\$	7,100.87			
3681	01	1	73	LABOR	9103	54	07026	04	30	0	\$	202.60			
3681	01	1	74	LABOR	9112	54	07026	04	30	0	\$	1,184.10			
3681	01	1	74	LABOR	9113	54	07026	04	30	0	\$	492.20			
3681	01	1	74	LABOR	9115	54	07026	04	30	0	\$	184.62			
3681	01	1	75	LABOR	9126	54	07026	04	30	0	\$	322.19			
3681	01	1	80	SUPPORT BURDEN	9112	52	07026	04	30	0	\$	142.09			
3681	01	1	80	SUPPORT BURDEN	9113	52	07026	04	30	0	\$	59.07			
3681	01	1	80	SUPPORT BURDEN	9115	52	07026	04	30	0	\$	22.15			
3681	01	1	80	SUPPORT BURDEN	9126	52	07026	04	30	0	\$	38.66			
												\$	10,204.69	%	.00
3681	02	1	27	WARE,G	1778000	55	07029	04	05	0	\$	28.86			
3681	02	1	79	LABOR	9148	54	07026	04	30	0	\$	147.12			

PAGE 1367

ACCOUNTING OFFICE

ACCOUNTS(0000-4999)

LAWRENCE LIVERMORE LABORATORY

REPORT NO 025-132

DETAIL LEDGER  
FY 1980 - MONTH END APRIL

OPS 90501

ACCOUNT	SUB	LOC	EXP	TRANS DESCRIPTION	PUR. OR REF. NO.	TYPE ENT.	JOUR. VOUCH.	MO	DAY	YR	CUR.	MONTH COSTS	LIENS		
3681	02	1	80	SUPPORT BURDEN	9148	52	07026	04	30	0	\$	17.65			
3681	02	1	80	WARE,G	1776000	55	07029	04	05	0	\$	4.63			
												\$	188.36	%	.00
3681	03	1	10	STORES REQUISITIONS		56	07071	04	30	0	\$	332.33			
3681	03	1	31	LAKE SIDE NON-F64426		32	07002	04	01	0	\$	5,073.69			
3681	03	1	31	MYERS DRUM CO 64504		32	07002	04	17	0	\$	127.00			
3681	03	1	31	LAKE SIDE NON-F64581		32	07002	04	24	0	\$	5,639.68			
3681	03	1	31	ENGINEERED WASEN497		32	07002	04	17	0	\$	1,500.04			
3681	03	1	31	WEST OAK SALVA'E	04910	51	07012	04	22	0	\$	173.00			
												\$	10,055.43	%	.00
3681	04	1	10	STORES REQUISITIONS		56	07071	04	30	0	\$	20.54			
												\$	20.54	%	.00
												\$	431.04	%	.00

3679	01	2	40	TOY		44	03213	01	30	0	\$	245.00		
3679	01	2	40	TOY	314537	55	04039	01	31	0	\$	550.00		
3679	01	2	40	WHITE	315481	55	04039	01	31	0	\$	59.00		
3679	01	2	73	LABOR		54	04026	01	31	0	\$	1,910.23		
3679	01	2	73	LABOR		54	04026	01	31	0	\$	249.00		
3679	01	2	74	LABOR		54	04026	01	31	0	\$	22.55		
3679	01	2	80	SUPPORT BURDEN		52	04026	01	31	0	\$	5.92		
												\$	3,041.10	00
												\$	3,041.10	00
3680	01	1	31	001 LZA LAA 019	X-5545	31	04006	01	31	0	\$	307.00-		
3680	01	1	31	001 LZA LAA 018	X-5545	31	04007	01	31	0	\$	5,000.00-		
3680	01	1	31			55	04077	01	29	0	\$	3.13-		
												\$	5,310.13-	00
												\$	5,310.13-	00
3681	01	1	10	STORES REQUISITIONS		56	04071	01	31	0	\$	117.58		
												\$	117.58	00
3681	02	1	10	STORES REQUISITIONS		56	04071	01	31	0	\$	43.87		
3681	02	1	23	DIETERICH POST	9828902	60	04099	05	04	9	\$		380.41	
3681	02	1	31	GARRETT FR170777911	7321402	44	71834	01	17	0	\$	49.08		
3681	02	1	31	FR VARIOUS	7798502	55	04085	01	31	0	\$	378.50		
3681	02	1	79	LABOR	9148 1	54	04026	01	31	0	\$	87.29		
3681	02	1	80	SUPPORT BURDEN	9148 1	52	04026	01	31	0	\$	10.47		
												\$	569.19	380.41
3681	03	1	10	STORES REQUISITIONS		56	04071	01	31	0	\$	51.88-		
3681	03	1	31	LAKE SIDE NONE-64069		32	04002	01	28	0	\$	3,908.00-		
3681	03	1	31	MYERS DRUM CO 63966		32	04002	01	21	0	\$	105.50-		
3681	03	1	31	ENGINEERED WAS83968		32	04002	01	21	0	\$	964.22-		
3681	03	1	31	WEST OAK SALVAGE	01546	51	04012	01	07	0	\$	1,108.41-		
3681	03	1	31	W OAKLAND SALVAGE	02408	51	04012	01	30	0	\$	1,046.67-		
3681	03	1	31	LAKE SIDE METALS	02414	51	04012	02	05	0	\$	773.01-		
3681	03	2	31	TO 1642 02		55	04074	01	31	0	\$	5,225.81-		
												\$	13,183.28-	00
												\$	12,498.51-	380.41

Mr. McManes

Blanket Order 1443300, Myers Drum Company

This order covers reconditioned drums, lids, etc. April 1, 1969 through March 31, 1971. The drums are obtained from the Government at no charge and processed by Myers.

Review of order format by Mr. Hahn resulted in his suggestion the order be altered internally only for LRL convenience as follows:

Page 1 - Last Paragraph should read:

"Used drums to be reconditioned will be picked up by Seller at U.S. Naval installation Point Molate /Richmond/ California and stored by Seller at no charge until ordered by LRL. Reconditioning shall take place only when requested by LRL."

Page 2 - Beginning with the second paragraph this page should read:

"Page two (2)

Reconditioning shall consist of removing head, rolling edge, washing, drying and painting. Drums shall be painted on outside with one coat of Boysen plasolux rich yellow or LRL approved equal. After painting, two radioactive symbols shall be stenciled between center of chimes 180 degrees apart, in Martin Sonor Newhuc Roman Violet color No. 2225 or LRL approved equal. Metal stencil for radioactive symbol will be furnished by LRL. Charge for additional stenciling on lids for drums with radioactive symbol will be \$0.15 each.

Item	LRL Cat. No.		
1	8110-27723	Drum, steel, painted, 55 gallon (reconditioned) delivered to Berkeley	\$2.00/drum
2	8110-27723	Drum, steel, painted, 55 gallon (reconditioned) delivered to Livermore	\$2.25/drum
3	8110-27726	Lid, steel for 55 gallon drum	.55/each
4	8110-27727	Ring, locking for 55 gallon drum	.50/each
5	8110-42037	Gasket, sponge, for 55 gallon drum	.15/each "

We have a sensitive vendor relationship following negotiation of price concessions and extension of a firm price for two years in these troublesome times of increasing cost. Thus we prefer to accomplish these changes without altering the "contract" i.e. without a formal change order to Myers.

C. C. Wise

cc: Red Chester  
Ray Hahn

Attachment 3

AUG-29-1994 14:39

LBL-RISK MANAGEMENT

CHESTER/KNAPP		90-2024		DELIVER TO		BLDG ROOM NOTIFY		010 400 1200 EXTENSION		1 1007 00 HOLD FOR	
P HITCHCOCK		ACCOUNT NO. 1600-00-1		AMOUNT OF P.O.		STAT CODE 40000		WGT NO			
SUBMIT CORRESPONDENCE QUESTIONS TO BUYER		ORDER NO. 1443400		SHIP CODE 12345		DATE 2/25/69 DMW		HOUSE 103		FROM RECEIPT OF GOODS OR RECEIPT OF GOODS ON RECEIPT OF GOODS ON	
RATED ORDER		CERT. UNDER D.M.S. REG.		THE ABOVE ORDER NO. & SELLER CODE MUST BE ON EACH PACKAGE. SHIPPING RECEIPT AND INVOICE		TERMS (AS CODED)		0 15-10TH & 25TH 1 15-10 DAYS 2 15-10 DAYS 3 15-30 DAYS 4 25-10TH PROX		5 25-10 DAYS 6 25-10 DAYS 7 NET 30 DAYS 8 AS SHOWN 9 15-10TH PROX	

U. S. ATOMIC ENERGY COMMISSION  
SAN FRANCISCO OPERATIONS OFFICE  
2111 BANCROFT WAY  
BERKELEY, CALIFORNIA 94704

UNIVERSITY OF CALIFORNIA

LAWRENCE RADIATION LABORATORY

PURCHASE ORDER COPY 2

SHIP TO

LRL PICKUP

To: Requisitioning Department  
USE - INFORMATION COPY  
DISPOSITION - DESTROY

DO NOT CONTACT SELLER  
FOR INFORMATION CALL PURCHASING DEPT.,  
BERKELEY EXT. 5163, OR LIVERMORE EXT. 7335

SHIP VIA (as coded) 1. PICKUP 2. PARCEL POST 3. UPS 4. MAIL EXPRESS 5. MOTOR FREIGHT 6. RAIL FRT. FORWARDER 7. AIR PARCELL POST 8. AIR EXPRESS 9. AIR FRT. FORWARDER		TRANSPORTATION TERMS (as coded) 1. ACCOUNT OF UNIVERSITY - DO NOT INVOICE 2. ACCOUNT OF SELLER - PREPAID 3. CASH ON DELIVERY SEE BELOW		F.O.B. (as coded) 1. DESTINATION 2. SHIPPING POINT 3. SHIPMENT FREIGHT ALLOWED	
ITEM NO.	LINE CATALOG NO. IF APPLICABLE	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
		MEMORANDUM REQUEST			
		THIS BLANKET ORDER COVERS PROCUREMENT OF APPROX. 200 EMPTY STEEL DRUMS PER MONTH, 50-55 GALLON SIZE, 18 GAUGE OR HEAVIER, SALVAGED, IN LOTS OF 100 TO 200. TO BE PICKED UP AT UNIVERSITY OF CALIFORNIA LAWRENCE RADIATION LABORATORY'S EXPENSE, AT A LOCATION DESIGNATED BY THE ATOMIC ENERGY COMMISSION AT THE TIME OF OUR REQUEST FOR DRUMS.			
		THERE WILL BE NO CHARGE FOR THESE DRUMS.			
		THIS ORDER SUPERSEDES BLANKET ORDER 1411400 AND COVERS THE PERIOD APRIL 1, 1969 THROUGH MARCH 31, 1970.			
		MR. V. CHESTER AND MR. R. KNAPP, OR MR. C. C. WISE, IN THEIR ABSENCE, STORES DEPT. HAVE BEEN APPOINTED AS COORDINATORS AND SHALL BE RESPONSIBLE FOR REQUESTING DRUMS UNDER THIS BLANKET ORDER.			

TOTAL F.03



Attachment 4

[illegible]

[illegible][illegible]

9



# Lawrence Livermore National Laboratory

June 8, 1993

Nicholas W. Van Aelstyn  
Heller, Ehrman, White & McAuliffe  
333 Bush Street  
San Francisco, CA 94104-2878

Re: Bay Area Drum Site.

Dear Mr. Van Aelstyn:

Thank you for providing the additional information we requested regarding the Bay Area Drum site and Lawrence Livermore National Laboratory (LLNL) and Lawrence Berkeley Laboratory (LBL). After reviewing the information we conclude it does not further support the allegation that LLNL or LBL sent empty drums for disposal at the BAD site.

As we discussed in our April 15, 1993 letter and subsequently by telephone, we would like to speak with Jack Hamilton concerning his belief that he picked up drums from LLNL and LBL. You stated, however, in my discussion with you of May 13 that Mr. Hamilton does not wish to speak with us directly or through any of our technical staff.

Although we are unable to speak with Mr. Hamilton, you have told Nancy Shepard that Mr. Hamilton believes LBL may be correct that he was mistaken when he recalled picking up drums from LBL; he believes that he instead may have picked up such drums from UC Berkeley. As for LLNL, you were able to confirm that during 1980 - 1983 Mr. Hamilton was working as an independent contractor and was not affiliated with Myers Drum Company, the only company to whom LLNL sold drums during that period. ←

Based on our own internal investigations and the information you have provided to us, there appears to be great doubt as to LLNL and LBL's involvement with the BAD site. In fact, despite Mr. Hamilton's allegations, the available evidence strongly indicates the absence of any connection between the Laboratories and the BAD site. We therefore decline, at this time, your invitation to join the PRP

Attachment 5

Nicholas W. Van Aelstyn

June 8, 1993

Page 2

group. We do ask that if additional information becomes available to you indicating that drums from LLNL or LBL were sent to the BAD site, you provide that information to us as soon as possible so that we may reconsider our decision.

As we have previously stated, we recognize the benefits of being part of a PRP group. Nevertheless, based on the evidence presented so far there appears to be no sound basis for joining your PRP group. Should circumstances change or new evidence be presented, we hope you will renew your invitation to join the group.

Sincerely yours,

John H. Lee  
Assistant Laboratory Counsel

Nancy W. Shepard  
Environmental Counsel

cc. Janis Parenti  
Department of Energy  
Office of Chief Counsel.

HELLER EHRMAN WHITE & MCAULIFFE

ATTORNEYS

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

June 8, 1993

333 BUSH STREET  
SAN FRANCISCO  
CALIFORNIA 94104-2878  
FACSIMILE: (415) 772-6268  
TELEPHONE: (415) 772-6000  
WRITERS DIRECT DIAL NUMBER

ANCHORAGE  
LOS ANGELES  
PALO ALTO  
PORTLAND  
SEATTLE  
TACOMA

19431-0001

(415) 772-6566

Nancy Shepard, Esq.  
Legal Counsel's Office  
Lawrence Berkeley National Laboratories  
Building 50-A, Rm. 6129  
One Cyclotron Road  
Berkeley, CA 94720


Bay Area Drum Site, San Francisco

Dear Ms. Shepard:

Pursuant to your request, we have contacted Jack Hamilton in an effort to clarify his statements concerning drum pick-ups in the area of U.C. Berkeley and Lawrence Berkeley National Laboratories ("LBL"). The handwritten marginalia on the enclosed letter constitutes his response.

Please consider these comments and communicate to me, in writing, LBL's decision concerning our prior invitation to join the Bay Area Drum Ad Hoc PRP Group. If we do not receive a response by the close of business on June 18, 1993, we will assume that LBL has decided not to join the Group.

Very truly yours,

  
Nicholas W. van Aelstyn

Enclosure

Attachment 6

May 25, 1993

Jack Hamilton

Re: Bay Area Drum

Dear Jack:

I have been requested to ask you on behalf of Lawrence Berkeley Laboratories and Heller-Ehrman to clarify an issue regarding the transportation of drums to the Bay Area Drum site.

Specifically, Lawrence Berkeley Laboratories has asked if you picked drums up from the following Berkeley, California locations:

6701 San Pablo  
University  
Dana  
Bancroft  
College  
Piedmont  
Oxford  
Telegraph

DO NOT RECOGNIZE ANY  
OF THESE ADDRESSES

I would appreciate a response to this matter, in writing if possible, at your earliest convenience. If you have any questions or comments please contact me at 415/321-8150, extension 550.

Respectfully submitted,

REGENT UNV OF CALIF  
1436  
1438 SO 10th STREET  
RICHMOND CALIF

SUI WONG

STORE HOUSE

UNV OF CAL BERKELEY

See-John TRUJILLO

MAKE CHECK TO - U.C. REGENT.

See TOM FUNG

MAKE CHECK TO G.C. MATTESON

WE PICK UP DRUMS

SAME  
PLACE

BAD  
File

OFFICE OF THE GENERAL COUNSEL  
300 LAKESIDE DRIVE, 7TH FLOOR  
OAKLAND, CALIFORNIA 94612-3565  
(510) 987-9800 FAX (510) 987-9757

Writer's direct dial number:  
(510) 987-9737

June 14, 1995

RECEIVED

JUN 16 1995

LABORATORY COUNSEL  
LAWRENCE BERKELEY LABORATORY

ASSISTANT LABORATORY COUNSEL JOHN H. LEE  
LLNL

PATRICK SCHLESINGER  
(for ENVIRONMENTAL COUNSEL NANCY W. SHEPARD)  
Laboratory Counsel's Office  
LBL

DIRECTOR SUSAN L. SPENCER  
Environment, Health & Safety  
Berkeley

DIRECTOR ARA TAHMASSIAN  
Environmental Health & Safety  
San Francisco

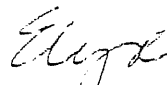
Re: Bay Area Drum Site Settlement Agreement

Enclosed is the letter I am delivering to Vice President Kennedy today on your behalf to obtain his signature for the University's settlement of the Bay Area Drum matter. I also enclose the materials I received yesterday from the PRP group's common counsel. It states that we have until August 14 to send in the buy-out payment. My office will cut the check and then recharge you as follows:

Internal Allocation

UCSF	185 drums	@ \$53/drum	= \$ 9,805
UCB	430 drums	@ \$53/drum	= \$22,790
LLNL	72 drums	@ \$53/drum	= \$ 3,816
LBL	<u>0</u>	<u>@ \$53/drum</u>	<u>= 0</u>
Total	687 drums		\$36,411

Please call me if you have any questions.

  
Elyse Axell  
University Counsel

ks

Enc.

cc: J. F. Lundberg  
M. R. Smith

Attachment 7